

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )

ADMINISTRATION OF THE )  
NORTH AMERICAN NUMBERING PLAN )

CC Docket 92-237  
Phases One and Two

TO: The Commission

COMMENTS OF AMERICAN PERSONAL COMMUNICATIONS

The comments filed in this docket fully support the establishment of a new NANP Administrator ("NANPA") that would offer an open and comprehensive approach to numbering policy development and administer numbering resources in a fair and equitable manner. American Personal Communications<sup>1/</sup> ("APC") files this brief reply to emphasize three points: (1) central office ("CO") code assignment must be centralized; (2) the Commission should oversee the shift in administration of the North American Numbering Plan ("NANP"); and (3) implementation of local number portability must be expedited.<sup>2/</sup>

I. Centralized Code Assignment

Those parties opposing a transfer of responsibility for CO codes to a centralized NANPA claim that management raises local issues, CO code exhaustion planning requires

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<sup>1/</sup> American PCS, L.P., d/b/a American Personal Communications ("APC").

<sup>2/</sup> APC would like to clarify that its support of ATIS as a new NANPA is contingent upon its restructuring to an open structure. As currently constituted, ATIS is not a sufficiently open organization to administer the NANP; we believe, however, that its structure could be revised appropriately to permit it to act as a new NANPA.

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extensive local input, and that the transition to a new NANPA should not be complicated by adding new functions. These arguments provide a weak mask to the anticompetitive motives of these parties. In fact, centralized administration of CO codes is an essential precursor for a competitive marketplace.

Personal communications services ("PCS") will offer American consumers a competitive alternative to traditional wireline telephony. This role will simply not be possible if PCS licensees are denied full and fair access to numbering resources. To date, wireless carriers have been unfairly discriminated against in the distribution of numbering resources by major local exchange carriers ("LECs") in their capacity as CO code administrators and NPA relief planners. LECs currently have the ability to unilaterally force wireless providers to bear the predominate costs and inconveniences associated with NPA relief planning and are using this ability as a competitive weapon against wireless providers. For example, LECs in Chicago, New York and Los Angeles have implemented numbering plan area ("NPA") relief plans under which wireless providers are forced to give up all numbers and move subscribers to new NPA codes. These plans can permit LECs to maintain seven-digit numbers for themselves and force wireless operators to impose ten-digit numbers on their subscribers.

The Commission should require centralization of CO code assignments as quickly as possible to enable PCS and

other wireless providers to compete with LECs on a level playing field. In the competitive and rapidly changing market in which PCS and LECs will be competing, it is little help to state blithely that "telecommunications providers that believe they are being hindered in their use of CO code numbering resources can bring the issue to state regulators or to this Commission" (USTA Comments, p. 8). In this case, prevention is the only cure; after-the-fact remedies are insufficient. The Commission should ensure that fair competition exists from the very outset by centralizing CO code assignment responsibilities.

## II. Reform of the NANP Administration

APC's comments in this docket supported PCIA's proposal for an FCC-recognized industry oversight committee open to all interested participants that would oversee an industry numbering forum and NANPA. APC continues to support this framework and stresses the need for the openness and opposes the efforts of those, such as NYNEX, who seek to close and restrict the process.

Numerous commenters ask the FCC to play a greater role in the policy development process. APC supports FCC involvement in the numbering policy development process. FCC oversight of the process would enable the expeditious handling of contentious issues, provide crucial guidance during a time when the industry is expected to undergo massive competitive

changes, and enable the implementation of numbering policy that keeps pace with technological and other market changes.

III. Number Portability

APC urges the Commission to commence measures to promote the implementation of local number portability. Numerous commenters -- including the mainstay of those who do and will compete against entrenched LECs -- agree with this position. Local number portability is crucial to providing true competition to wireline providers.

Respectfully submitted,

AMERICAN PERSONAL COMMUNICATIONS

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